

REMARKS

By this Amendment, claims 1-3 have been amended. Accordingly, claims 1-5 are pending in the present application.

Applicants would like to thank the Examiner for the indication of allowable subject matter in claims 1 and 3.

Applicants would also like to thank the Examiner for the courtesy extended to Applicants' attorney during the telephone interview conducted on September 19, 2007. During the telephone interview, agreement was reached that the amendments made to the claims herein would overcome the Examiners rejections under §§112 and 101 set forth in the Office Action. This agreement was noted by the Examiner in the Interview Summary mailed September 25, 2007.

The rejections of claims 1-5 under 35 U.S.C. §112, second paragraph, and under 35 U.S.C. §101 are noted. With the amendments to the claims made herein, and agreed to by the Examiner as noted above, these rejections are deemed moot. Accordingly, withdrawal of these rejections is respectfully requested.

In addition, Applicants wish to state a general disagreement with the lengthy "claim interpretation" proffered by the Examiner throughout the Office Action. It appears that the Examiner is reading limitations into the claims that are not otherwise present, and improperly assuming who one of skill in the art is and would know without defining such a person. Based on this, Applicants submit that the claims should only be interpreted by the words that are explicitly present, and as one of skill in the art would understand them.

The objection to the specification is noted. In response, Applicants have amended the specification as suggested by the Examiner to include the phrase "We Claim" immediately preceding the claims. Accordingly, reconsideration and withdrawal of this objection is respectfully requested.

Claims 2, 4 and 5 stand rejected under 35 U.S.C. §102(b) as being anticipated by JP 2-81550 to Sakurada et al. Applicants respectfully traverse this rejection.

Among the limitations of independent claim 2 which are neither disclosed nor suggested in the prior art of record is a network wherein a first network device of a plurality of network devices includes “a measurement portion that measures a variable at measurement timings based on a predetermined reference timing and a data output portion that adds measurement timing information to a first result measured by the measurement portion and outputs the first result on the bus when the bus is idle.”

While Sakurada et al. discloses a network, the operation of that network is different than that of the present invention as defined in independent claim 2. In particular, in the network of Sakurada et al. measurement is controlled by a center 200, and not by a network device on the bus. Accordingly, the network devices of Sakurada et al. do not include “a measurement portion that measures a variable at measurement timings based on a predetermined reference timing and a data output portion that adds measurement timing information to a first result measured by the measurement portion and outputs the first result on the bus when the bus is idle” as is required by independent claim 2. Accordingly, it is respectfully submitted that independent claim 2 patentably distinguishes over the art of record.

Claims 4 and 5 depend directly from independent claim 2 and include all of the limitations found therein. Each of these dependent claims includes additional limitations which, in combination with the limitations of independent claim 2, are neither disclosed nor suggested in the art of record. Accordingly, claims 4 and 5 are likewise patentable.

In view of the foregoing, favorable consideration of the amendments to the specification, favorable consideration of the amendments to claims 1-3, and allowance of the present application with claims 1-5 is respectfully and earnestly solicited.

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Respectfully submitted,

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